

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
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PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year) 23 NOV 2004
Applicant's or agent's file reference 90078PCT		FOR FURTHER ACTION See paragraph 2 below
International application No.	International filing date (day/month/year)	Priority date (day/month/year)
PCT/US04/09886	30 March 2004 (30.03.2004)	01 April 2003 (01.04.2003)
International Patent Classification (IPC) or both national classification and IPC		
IPC(7): C08K 03/08; C09J 04/02, 163/00, 163/02 and US Cl.: 252/183.11; 523/458		
Applicant		
AGUILA TECHNOLOGIES, INC.		

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Robert Sellers Telephone No. (703) 308-1193
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WRITTEN OPINION OF THE
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International application No.

PCT/US04/09886

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- a sequence listing
 table(s) related to the sequence listing

b. format of material

- in written format
 in computer readable form

c. time of filing/furnishing

- contained in international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.

3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. IV Lack of unity of invention

1. In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has:
 paid additional fees
 paid additional fees under protest
 not paid additional fees
2. This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is:
 complied with
 not complied with for the following reasons:
See the lack of unity section of the International Search Report (Form PCT/ISA/210)
4. Consequently, this opinion has been established in respect of the following parts of the international application:
 all parts.
 the parts relating to claims Nos. 1-5

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Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 4	YES
	Claims 1-3 and 5	NO
Inventive step (IS)	Claims 4	YES
	Claims 1-3 and 5	NO
Industrial applicability (IA)	Claims 1-5	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations:

Claims 1-3 and 5 lack an inventive step under PCT Article 33(3) as being obvious over U.S. Patent No. 5,985,456 (ZHOU et al.).

ZHOU et al. discloses an adhesive composition comprising a fluxing agent RCOOH wherein R is a moiety with two or more carbon-carbon double bonds (column 4, lines 14-18), a resin such as 1,4-cyclohexanediethanol diglycidyl ether ; 3,4-epoxycyclohexylmethyl-3,4-epoxycyclohexane carboxylate; N,N-diglycidyl-4-glycidyl-oxyaniline or a bisphenol A epoxy resin (column 8, lines 34-37), a high melting point metal or alloy powder and a low melting point metal or alloy powder (column 9, lines 47-63).

The claimed inerting agent including the species of epoxy resin of claim 5 is disclosed but not exemplified. It would have been obvious to incorporate the species of epoxy resin set forth in ZHOU et al. into the adhesive in order "to increase the adhesion of the cured composition to the substrate and to increase the cohesive strength and glass transition temperature of the cured composition (column 8, lines 17-21).

Claim 4 meets the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the particular species of fluxing agents.

Claims 1-5 meet the criteria set out in PCT Article 33(4), and thus possesses industrial applicability because the subject matter claimed can be used as an adhesive for semiconductor devices.